

**Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A soft capsule formulation comprising:

an oily solution of an active vitamin D<sub>3</sub>; and

a soft capsule shell of 200µm to 600µm thickness

~~which contains~~ consisting of gelatin, 0.1 to 1.5% by weight of titanium oxide and 0.01 to 1.0% by weight of yellow iron oxide and/or red iron oxide based on the total weight of said soft capsule shell, optionally a dye, optionally a white pigment, optionally a plasticizer, and optionally one or more of ethylperoxybenzoate, propylperoxybenzoate and potassium sorbate, and

\_\_\_\_\_ encapsulates said oily solution of an active vitamin D<sub>3</sub>.

2. (Currently Amended) A soft capsule formulation according to claim 1 wherein said dye is present and comprises 0.05 to 1.5% by weight of caramel based on the total weight of said soft capsule shell ~~comprising:~~

~~an oily solution of an active vitamin D<sub>3</sub>; and~~

~~\_\_\_\_\_ a soft capsule shell of 200 $\mu$ m to 600 $\mu$ m thickness  
which contains 0.1 to 1.5% by weight of titanium oxide and  
0.05 to 1.5% by weight of caramel based on the total weight of  
said soft capsule shell, and encapsulates said oily solution  
of active vitamin D<sub>3</sub>.~~

3. (Cancelled).

4. (Previously Presented) The soft capsule formulation of claim 1 wherein said oily solution comprises at least one base material selected from the group consisting of fatty acid glycerides, propylene glycol fatty acid diesters, triacetin, polyethylene glycols and vegetable oils.

5. (Original) The soft capsule formulation of Claim 4 wherein the base of the oily solution comprises a fatty acid glyceride.

6. (Previously Presented) The soft capsule formulation of claim 1 wherein the active vitamin D<sub>3</sub> is selected from 1 $\alpha$ -hydroxyvitamin D<sub>3</sub>, 24-hydroxyvitamin D<sub>3</sub>, 25-hydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,24-dihydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,24,25-trihydroxyvitamin D<sub>3</sub>, 22-oxa-1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub> and 2 $\beta$ -(3-hydroxypropyloxy)-1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub>.

7. (Previously Presented) The soft capsule formulation of claim 2 wherein said oily solution comprises at least one base material selected from the group consisting of fatty acid glycerides, propylene glycol fatty acid diesters, triacetin, polyethylene glycols and vegetable oils.

8. (Previously Presented) The soft capsule formulation of claim 7 wherein the base material for the oily solution comprises a fatty acid glyceride.

9. (Previously Presented) The soft capsule formulation of claim 2 wherein the active vitamin D<sub>3</sub> is selected from 1 $\alpha$ -hydroxyvitamin D<sub>3</sub>, 24-hydroxyvitamin D<sub>3</sub>, 25-hydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,24-dihydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,24,25-trihydroxyvitamin D<sub>3</sub>, 22-oxa-1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub> and 2 $\beta$ -(3-hydroxypropyloxy)-1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub>.

10. (Currently Amended): A soft capsule formulation comprising:

an oily solution of an active vitamin D<sub>3</sub>; and

a soft capsule shell of 200 $\mu$ m to 600 $\mu$ m thickness

~~which contains~~ consisting essentially of gelatin, 0.1 to 1.5% by weight of a white pigment and 0.01 to 1.0% by weight yellow iron oxide and/or red iron oxide based on the ~~total~~ total

weight of said soft capsule shell, and encapsulates said oily solution of an active vitamin D<sub>3</sub>,

wherein said white pigment and said iron oxide within said soft capsule shell constitute a homogeneous mixture.

11. (Currently Amended) The soft capsule formulation of claim 10 wherein said soft capsule shell further ~~includes~~ comprises 0.05 to 1.5% by weight of caramel.

12. (Previously Presented) The capsule formulation of claim 10 or 11 wherein the white pigment is titanium oxide.

13. (Previously Presented) The soft capsule formulation of claim 10 wherein said oily solution comprises at least one base material selected from the group consisting of fatty acid glycerides, propylene glycol fatty acid diesters, triacetin, polyethylene glycols and vegetable oils.

14. (Previously Presented) The soft capsule formulation of claim 13 wherein the base for the oily solution comprises a fatty acid glyceride.

15. (Previously Presented) The soft capsule formulation of claim 10 wherein the active vitamin D<sub>3</sub> is selected from 1 $\alpha$ -hydroxyvitamin D<sub>3</sub>, 24-hydroxyvitamin D<sub>3</sub>, 25-hydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,24-dihydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,25-

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dihydroxyvitamin D<sub>3</sub>, 1 $\alpha$ ,24,25-trihydroxyvitamin D<sub>3</sub>, 22-oxa-  
1 $\alpha$ ,25-dihydroxyvitamin D<sub>3</sub> and 2 $\beta$ -(3-hydroxypropyloxy)-1 $\alpha$ ,25-  
dihydroxyvitamin D<sub>3</sub>.

16. (Cancelled).

17. (Cancelled).